

# The Criminalization of HIV AND HEPATITIS B AND C IN MISSOURI

Between 1990 and October of 2019, at least 593 people have been arrested in Missouri for an HIV/hepatitis crime. This includes 318 people who have been convicted for these crimes. Missouri has had one arrest for an HIV crime for every 60 people currently living with HIV in the state.

## MISSOURI LAWS CRIMINALIZE FIVE DIFFERENT TYPES OF HIV/HEPATITIS EXPOSURES

### HIV Crimes

These three laws apply only to those living with HIV. They criminalize people knowingly living with HIV (PLHIV) who engage in the following actions:

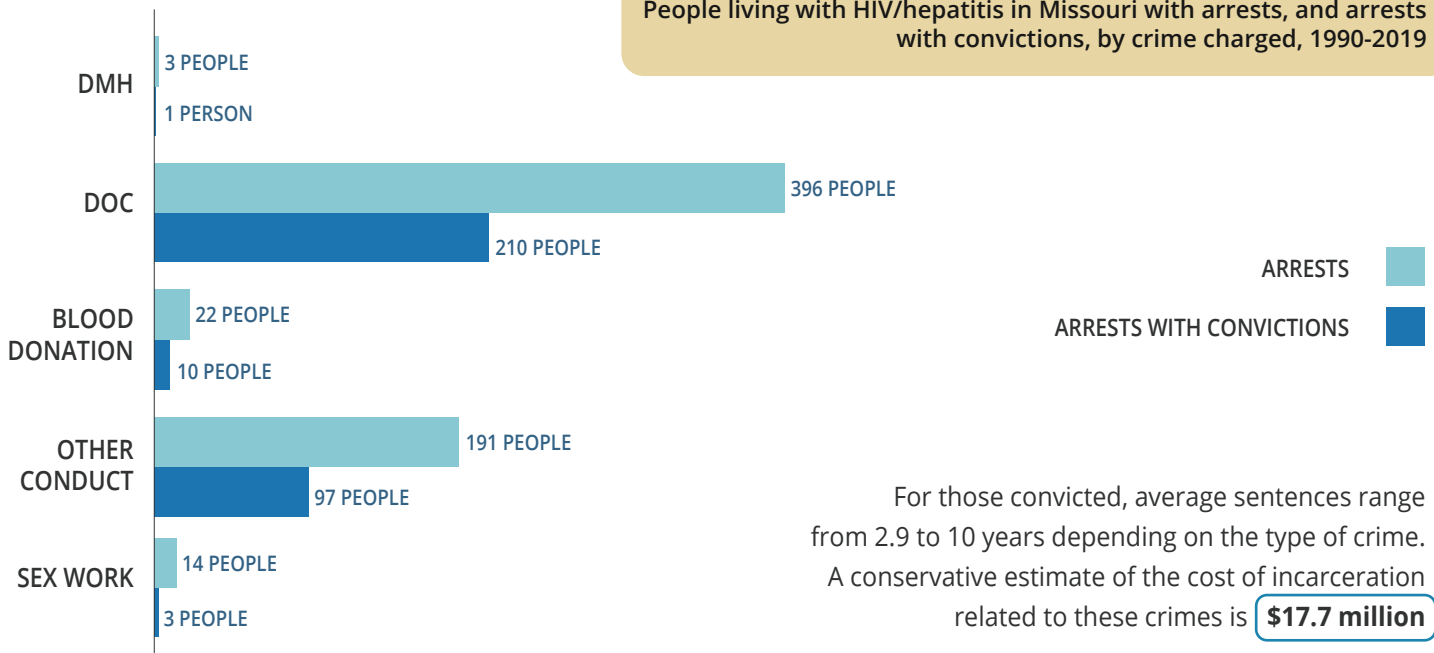
- donate blood or organs
- engage in commercial sex work
- expose others to bodily fluids through sexual activities, sharing needles, biting, or other conduct

### Department of Corrections and Mental Health Crimes (DOC/DMH Crimes)

These two laws focus on defendants who are charged with exposing, or attempting to expose, employees and others to bodily fluids in the following settings:

- the Department of Corrections
- the Department of Mental Health

People living with HIV/hepatitis in Missouri with arrests, and arrests with convictions, by crime charged, 1990-2019

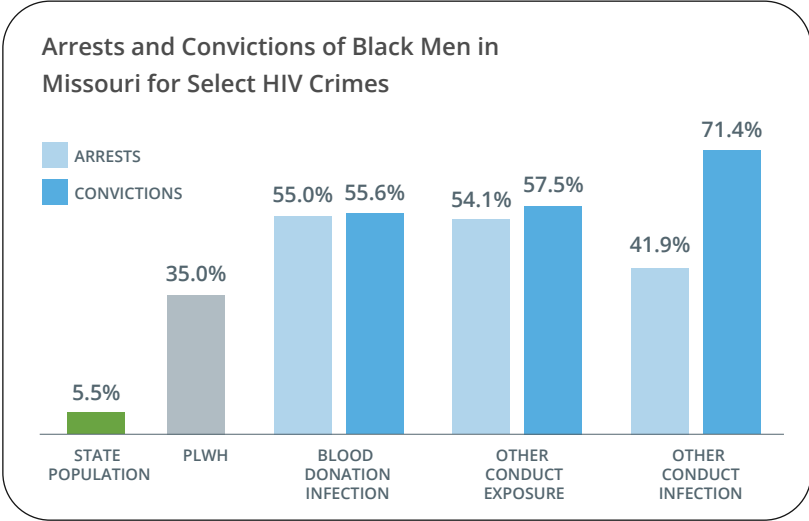
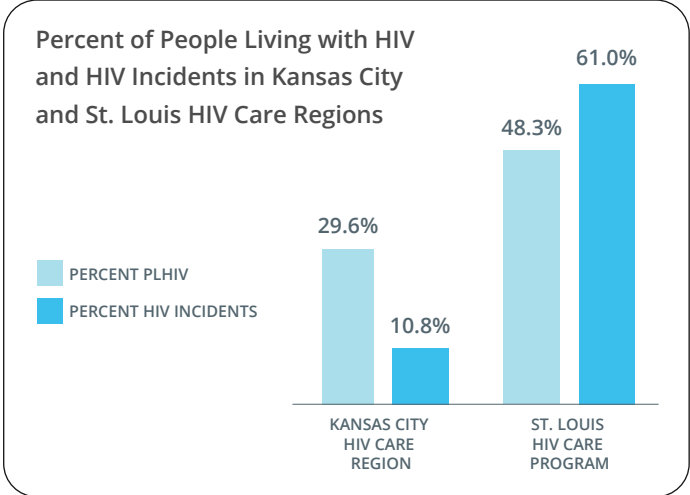


For those convicted, average sentences range from 2.9 to 10 years depending on the type of crime. A conservative estimate of the cost of incarceration related to these crimes is **\$17.7 million**

# HIV Crimes

Between 1990 and 2019, 209 people in Missouri have been arrested — and 107 have been convicted — for HIV crimes in 263 separate incidents.

HIV crimes appear to be disproportionately enforced in the Saint Louis HIV Care Region, particularly in St. Louis City and St. Louis counties.



While Black men are only 5.5% of Missouri’s population and 35% of PLHIV in the state, they account for over half of all HIV crime arrests and convictions.

## Department of Corrections and Department of Mental Health Crimes (DOC/DMH)

Enforcement of laws criminalizing the exposure of state employees and others involved with DOC/DMH to bodily fluids significantly outpaces the enforcement of the Missouri’s HIV crimes. DOC/DMH incidents appear to be disproportionately concentrated in just a few counties. St. Francois, Mississippi, and Texas counties account for 33.6% of the Missouri’s DOC/DMH incidents.

